



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1358  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,381	01/18/2002	Yoshifumi Takamoto	NITT.0054	2298

7590 12/29/2005

Stanley P Fisher  
Reed Smith Hazel & Thomas  
Suite 1400  
3110 Fairview Park Drive  
Falls Church, VA 22042-4503

EXAMINER

FILIPCZYK, MARCIN R

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/031,381	Applicant(s) TAKAMOTO ET AL.	
	Examiner Marc R. Filipczyk	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/24/05</u> . | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2163

***Response to Amendment***

This Action is responsive to Applicant's response filed on October 24, 2005 wherein claims 1-11 are pending.

To expedite the process of examination Examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. amendments, 35 U.S.C. 112, objections and the like) set forth by the Examiner that Applicants provide and link to the most specific page and line numbers of the disclosure where the best support is found (see 35 U.S.C. 132).

***Priority***

Application 10/031,381 is a national stage entry of PCT/JP99/05357 International Filing Date: 09/29/1999.

***Information Disclosure Statement(IDS)***

The IDS received on 10/24/2005 is in compliance and has been noted.

***Drawings***

The drawings are objected to because the submitted drawings are not numbered in order. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

Art Unit: 2163

drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Probert, Jr. et al (U.S. Patent No. 6,549,918), herein "Probert".

Regarding claims 1, 2, 4, 5, 10 and 11, Probert discloses a storage system (fig. 2, 222 and 226) that is connected to a first host computer, which uses a first operating system for managing stored location information of a file using a first format, and that is connected to a second host computer, which uses a second operating system for managing stored location information of the file using a second format different from said first format, said storage system comprising: (fig. 2, abstract and col. 9, lines 40-45 and col. 14, lines 33-36)

Art Unit: 2163

a plurality of disk drives for storing data; (fig. 2, 236) and

a disk controller comprising an interface for connecting to said first host computer and said second host computer, and an interface for connecting to said disk drives; (fig. 2, items 228 and 238, and related text)

wherein,

said disk controller comprises: (fig. 2, items 228 and 238, and related text)

a means for holding stored location information of a file, which is stored in any one of said plurality of disk drives, in said second format, said stored location information of the file of the second format being corresponding to the stored location information of the file in said first format; (fig. 2, items 234 and 236, and related text)

a means for reading said file on the basis of the stored location information in said second format when access request to access said file is issued from said second host computer; (fig. 2, items 208, 222 and 226, and related text) and,

converting the stored location information of said file in said first format into stored location information in said second format (fig. 2, 230, 234 and 236) based on a fixed length block (col. 8, lines 7-10)

*(Note: every block of data may comprise different fixed length depending on the type of data stored such as text graph and other type)*

Probert further discloses reading said file on the basis of the stored location information in said second format (fig. 2, items 208 and 236).

Art Unit: 2163

Regarding claim 3, Probert discloses said second format which has been converted is stored in a cache area in said storage system (col. 13, lines 3-12 and 45-48).

Regarding claims 6-8, Probert discloses said stored location information in said first format of said file is held in any one of said plurality of disk drives or both, first and second disk drives and disk drive may be accessed (fig. 2, items 208, 234, 236 and related text).

Regarding claim 9, Probert discloses exclusive control of an access request (col. 9, lines 41-49).

### *Response to Arguments*

Applicant's arguments and amendment filed on October 24, 2005 have been fully considered but they are not persuasive. The arguments and responses are listed below.

Applicant argues on page 22 of the 10/24/05 response that Probert does not disclose a storage system... "uses a second operating system for managing stored location information of the file using a second format different from the first format".

Examiner disagrees. Probert discloses multiple operating systems which store and manage data in a format unique to the particular operator system, see col. 14, lines 32-36. For more information, please refer to figure 2 and the rejections above.

Art Unit: 2163

Applicant argues on page 23 of the 10/24/05 response that Probert does not disclose converting data based on a fixed length block.

Examiner disagrees. Probert discloses converting data based on data type such as text or graph, both of which require a specific fixed length of memory block, see figure 2, col. 8, lines 7-10 and rejection.

With respect to all the pending claims 1-11, Examiner respectfully traverses Applicant's assertion based on the discussion cited above, as such, Examiner maintains the same rejections.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2163

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R. Filipczyk whose telephone number is (571) 272-4019.

The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF  
December 20, 2005

  
**FRANTZ COBY**  
**PRIMARY EXAMINER**